IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.2568 of 2005

–

Dated: June 26, 2006

–

–

Between:

U. Venkateswar Rao, S/o. U. Seetaiah,
aged about 50 years, Occ: Attender,
R/o. Moparru, Peddaparupudi Mandal,
Krishna District – 521321.

… Petitioner

And

The District co-operative Registrar,
Krishna District, Machilipatnam, and
three others.

… Respondents

Order:

This writ petition has been filed seeking a Writ of Mandamus to declare the action of the respondents in not paying salary to the petitioner as illegal and arbitrary and a consequential direction to the respondents is also sought to pay salary to the petitioner.

2. The grievance of the petitioner, an attender in the fourth

respondent society, is that he is not being paid salary and when he approached the fourth respondent; he was informed that his services were terminated, but no such order has been communicated to him.

It is his case that he submitted several representations to the respondents seeking payment of salary from May, 2003, to no avail.

3. The first respondent has filed counter affidavit stating the as per the resolution of the Managing Committee of the Society, proceedings dated 05-05-2003 were issued terminating the petitioner from service with effect from 30-04-2003 and payment of a month's wages was ordered in lieu of one month's advance notice before termination.

4. In view of the aforesaid order, terminating the services of the petitioner, he is not entitled to any salary from the period from which the he is claiming. If the petitioner is aggrieved by the action of the respondents in terminating his services, it is always open for him to question the same, but there is absolutely no basis for him to claim salary for the aforesaid period.

5. The writ petition is devoid of merits and is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY.

June 26, 2006
MRR